2005 DRAFTING REQUEST

Bill

Received: 01/06/2005	Received By: jkuesel					
Wanted: As time permits	Identical to LRB:					
For: Administration-Budget 6-2214	By/Representing: Kraus					
This file may be shown to any legislator: NO	Drafter: jkuesel					
May Contact:	Addl. Drafters:					
Subject: State Govt - state bldg proj	Extra Copies:					
Submit via email: YES						
Requester's email:						
Carbon copy (CC:) to:						
Pre Topic:						
DOA:Kraus, BB0350 -						
Topic:						
Reports on cost of occupancy of state facilities						
Instructions:						

Agencies report to DOA annually. DOA compiles and reports to Building Commission annually. Report for each building and aggregate for each institution, if any. Cost is physical plant operation and maintenance costs only- no programmatic costs.

Drafting	g History:						
Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	Required
/?	jkuesel 01/11/2005	csicilia 01/13/2005					State
/1		•	rschluet 01/13/200	05	lnorthro 01/13/2005		State
/2	jkuesel 01/18/2005	csicilia 01/18/2005	rschluet 01/18/200	05	lnorthro 01/18/2005		State

LRB-1512 01/28/2005 12:01:09 PM Page 2

Vers.	Drafted	Reviewed	Typed	Proofed	<u>Submitted</u>	<u>Jacketed</u>	Required
/3	jkuesel 01/19/2005	csicilia 01/19/2005	chaugen 01/19/200	5	lnorthro 01/19/2005		State
/4	jkuesel 01/28/2005	csicilia 01/28/2005	pgreensl 01/28/200	5	lemery 01/28/2005		
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FE Sent For:

<**END>**

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/1			rschluet 01/13/2005	70x 18	Inorthro 01/13/2005		State
/2	jkuesel 01/18/2005	csicilia 01/18/2005	rschluet 01/18/2005	<u> </u>	lnorthro 01/18/2005		State

14 45 1/28

LRB-1512 01/19/2005 04:03:28 PM Page 2

Vers.	<u>Drafted</u>	Reviewed	<u>Typed</u>	Proofed	Submitted	<u>Jacketed</u>	<u>Required</u>
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2005 DRAFTING REQUEST

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This file r	nay be shown	to any legislator	:: NO		Drafter: jkuesel				
May Cont	act:				Addl. Drafters:				
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DOA:	Kraus, BB035	60 -							
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Vers.	<u>Drafted</u>	Reviewed	Typed	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	Required		
/?	jkuesel 01/11/2005	csicilia 01/13/2005					State		
/1			rschluet 01/13/2005	5	lnorthro 01/13/2005		State		
/2	jkuesel 01/18/2005	csicilia 01/18/2005	rschluet 01/18/2005	5 Mila	lnorthro 01/18/2005				

LRB-1512 01/18/2005 01:02:10 PM Page 2

Reviewed **Drafted Typed** Proofed Submitted **Jacketed** Required Vers.

FE Sent For:

<END>

2005 DRAFTING REQUEST

Bill

Received: 01/06/2005	Received By: jkuesel
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For: Administration-Budget 6-2214	By/Representing: Kraus
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Submit via email: YES	
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Pre Topic:	
DOA:Kraus, BB0350 -	
Topic:	

Instructions:

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Agencies report to DOA annually. DOA compiles and reports to Building Commission annually. Report for each building and aggregate for each institution, if any. Cost is physical plant operation and maintenance costs only- no programmatic costs.

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Vers.	<u>Drafted</u>	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	Required
/?	jkuesel 01/11/2005	csicilia 01/13/2005					State
/1 /-	j kregel		rschluet 01/13/200	5	Inorthro 01/13/2005		

FE Sent For:

<END>

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State Govt - state bldg proj

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Drafting History:

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jkuesel \\

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FE Sent For:

<END:

2005-07 Budget Bill Statutory Language Drafting Request

Topic: EASI -- Total Cost of Occupancy

Tracking Code: BB 0350

SBO team: OPS

SBO analyst: Gindy Dombrowski CD. Jennifer Kraus

Phone: 266-5878

6-2214

Email: cynthia.dombrowski@doa.state.wi.us

Agency acronym: DOA

Agency number: 505

Total Cost of Occupancy (TCO)

<u>Create a TCO reporting requirement</u> -- agencies or DOA report to Building Commission or Legislature on the total cost of occupancy (TCO) of state facilities based on agency and within agency by institution or building. Require that by July 2009 agencies report on TCO based on institutions and buildings. Require DOA to summarize reports to provide overall TCO report and recommendations by agency on target TCOs.

Kuesel, Jeffery

From:

Kraus, Jennifer - DOA

Sent:

Sunday, January 09, 2005 3:48 PM

To: Subject:

Kuesel, Jeffery RE: Budget drafts

Hi Jeff - I put your question on "target TCO" to Peter Maternowski in the Division of State Facilities and got the following reply.....sounds like they want the ability to set target with or without modifications -- let me know if that is workable.

"TCO means the actual facility cost. It includes all facility related costs for building operations, maintenance and debt service. The 'TCO target' is a goal for a cost per sq ft for a facility. A goal could be met through capital projects, but other means could be used, e.g. more efficient provision of maintenance services, lower utility consumption through conservation efforts etc."

Still working on BB0349....I'm trying to encourage them to work it out through an MOU. I'll let you know what they decide.

Thx - Jenny

----Original Message-----

From:

Kuesel, Jeffery [mailto:Jeffery.Kuesel@legis.state.wi.us]

Sent:

Saturday, January 08, 2005 12:27 PM

To: Cc: Kraus, Jennifer - DOA Kennedy, Debora

Subject:

Budget drafts

Jennifer,

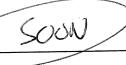
Confirming our phone conversation of January 5:

- 1. BB0352- I will send you a new version of the previously drafted proposal to authorize the sale of state properties. It is LRB-1513. The other attorneys will review it when it comes out and we may send through a revision if needed.
- 2. BB0350- I have entered the proposal concerning reports on the cost of occupancy of state facilities. You will confirm whether the "Target TCO" means the desired cost of occupancy (1) without modifications; (2) if recommended modifications are made (such as new windows, insulation, etc.). If the latter, you might want to indicate in the report a cost estimate for the modifications so you could figure the approximate number of years for the cost of modifications to pay off. This draft is LRB-1512 and is on hold.
- 3. BB0349- Transfer of physical plant employees at heating/cooling/power plants to DOA. You will confirm whether this proposal involves only DHFS or some other agencies (and if so, which ones). This draft is not entered because we don't know who will be drafting it until the scope of the draft is known.

Jeffery Kuesel

Managing Attorney
Wisconsin Legislative Reference Bureau
P.O.Box 2037
Madison WI 53701-2037
(608) 266-6778
jeffery.kuesel@legis.state.wi.us

Date (time) needed



LRB-1512/

DOA BUDGET DRAFT

Use the appropriate components and routines developed for bills.

>>FOR 2005-07 BUDGET — NOT READY FOR INTRODUCTION<<

AN ACT. [DO NOT generate catalog]; relating to: the budget. reports

Concerning the cost of occupancy of state

Facilities.

Analysis by the Legislative Reference Bureau

If titles are needed in the analysis, in the component bar:

For the main heading, execute: ... create \rightarrow anal: \rightarrow title: \rightarrow head

For the subheading, execute: ... create \rightarrow anal: \rightarrow title: \rightarrow sub

For the sub-subheading, execute: ... create \rightarrow anal: \rightarrow title: \rightarrow sub-sub

For the analysis text, in the component bar:

For the text paragraph, execute: ... create \rightarrow anal: \rightarrow text

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION #.

2005–2006 DRAFTING INSERT FROM THE LEGISLATIVE REFERENCE BUREAU

STATE GOVERNMENT

OTHER STATE GOVERNMENT

This bill directs state agencies and authorities to report biennially to DOA concerning the total cost of occupancy (cost to operate and maintain and to service any outstanding debt) of each state-owned or authority-owned building, structure or facility under the jurisdiction of the agency or authority, excluding public highways and bridges. Beginning in 2009, the bill provides that if a building, structure or facility is a part of an institution, the report must include the total cost of occupancy of all buildings, structures, and facilities within the institution.

The bill also provides that DOA must compile the information received from each agency and authority and transmit a consolidated report on the total cost of occupancy of all buildings, structures, and facilities owned by the state and its authorities to the Building Commission. The report must include, for each building, structure, and facility, the recommendations of DOA concerning the desired total cost of occupancy for that building, structure, or facility.

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

A Hemized for each building, structure, and facility

2005–2006 DRAFTING INSERT FROM THE LEGISLATIVE REFERENCE BUREAU

LA

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16.891 Reports on cost of occupancy of state facilities. (1) In this section:

- (a) "Agency" has the meaning given in s. 16.70 (1e). \checkmark
- (b) "Authority" has the meaning given in s. 16.70 (2).
- (c) "Total cost of occupancy" means the cost to operate and maintain the physical plant of a building, structure or facility, together with any debt service costs associated with the building, structure or facility, computed in the manner prescribed by the department.
- (2) Each agency and authority shall report to the department no later than October 1 of each odd-numbered year concerning the total cost of occupancy of each state-owned or authority-owned building, structure and facility, excluding public highways and bridges, under the jurisdiction of the agency or authority for the preceding fiscal biennium. Beginning in 2009, if a building, structure or facility is a part of an institution, the agency or authority shall also include in its report the total cost of occupancy of the of all buildings, structures and facilities within the institution.
- (3) No later than December 1 of each odd-numbered year, the department shall compile the information received under sub. (1) and transmit a consolidated report to the building commission on the total cost of occupancy of all state buildings, structures, and facilities excluding public highways and bridges, to the building commission. The report shall include, for each building, structure or facility, the recommendations of the department concerning the desired total cost of occupancy for that building, structure or facility.

SECTION 9355. Initial applicability; other

(1) Reports concerning occupancy of state facilities. The treatment of sections 16.891 of the statutes first applies with respect to reports due for submittal in the year 2007.

(END)

DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRB-1512/1dn JTK_D:...:...

Jennifer Kraus:

I have included state authorities in the cost of occupancy reporting requirement because the authorities must have the approval of the Building Commission under to proceed with most building projects under s. 13.48 (10), stats. However, the authorities are not required to report biennially to the commission under s. 13.48 (4), stats. Let me know if you would like to treat the authorities differently.

Jeffery T. Kuesel Managing Attorney Phone: (608) 266–6778

DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRB-1512/1dn JTK:cjs:rs

January 13, 2005

Jennifer Kraus:

I have included state authorities in the cost of occupancy reporting requirement because the authorities must have the approval of the Building Commission to proceed with most building projects under s. 13.48 (10), stats. However, the authorities are not required to report biennially to the commission under s. 13.48 (4), stats. Let me know if you would like to treat the authorities differently.

Jeffery T. Kuesel Managing Attorney Phone: (608) 266–6778

Kuesel, Jeffery

From:

Kraus, Jennifer - DOA

Sent:

Monday, January 17, 2005 2:29 PM

To:

Kuesel, Jeffery

Subject:

FW: LRB Draft: 05-1512/1 Reports on cost of occupancy of state facilities

Follow Up Flag:

Follow up

Flag Status:

Flagged





05-1512/1

05-1512/1dn

On this draft:

- 1) Please change the reporting requirement to annual instead of biennial,
- 2) Total cost of occupancy would also include appropriate overhead apportioned between buildings.
- 3) Please also include some language to allow DOA to exempt some facilities, such as small DNR structures, from the reporting requirement. There may well be some buildings/facilities that are not worth reporting on because the TCO is so minimal.

Thanks

----Original Message----

From: Schlueter, Ron [mailto:Ron.Schlueter@legis.state.wi.us]

Sent: Thursday, January 13, 2005 12:16 PM

To: Kraus, Jennifer - DOA

Cc: Hanaman, Cathlene; Haugen, Caroline; Merry-Mason, Monica

Subject: LRB Draft: 05-1512/1 Reports on cost of occupancy of state

facilities

Following is the PDF version of draft 05-1512/1.



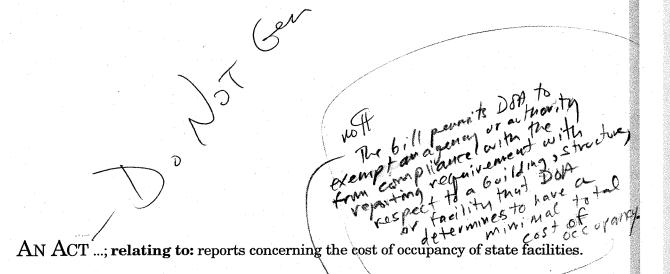
State of Misconsin 2005 - 2006 LEGISLATURE

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LRB-1512/2 Z JTK:cjs:rs S W/S

DOA:.....Kraus, BB0350 - Reports on cost of occupancy of state facilities

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION



Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

OTHER STATE GOVERNMENT

This bill directs state agencies and authorities to report biennially to DOA concerning the total cost of occupancy (cost to operate and maintain and to service any outstanding debt) of each state—owned or authority—owned building, structure, or facility under the jurisdiction of the agency or authority, excluding public highways and bridges. Beginning in 2009, the bill provides that if a building, structure or facility is a part of an institution, the report must include the total cost of occupancy of all buildings, structures, and facilities within the institution.

The bill also provides that DOA must compile the information received from each agency and authority and transmit a consolidated report on the total cost of occupancy of all buildings, structures, and facilities owned by the state and its authorities, itemized for each building, structure, and facility to the Building Commission. The report must include, for each building, structure, and facility, the recommendations of DOA concerning the desired total cost of occupancy for that building, structure, or facility.

direct cost of operation and maintenance administrative attributable to the post include the direct costs included by an agency or authority that are debt service costs associated with the building structure, or facility and emy debt service costs associated with the building structure, or facility

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For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

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maintena (c) "Total cost of occupancy" means the cost to operate and maintain the including administrative costs of an agency or authority a tributable to physical plant of a building, structure, or facility together with any debt service costs associated with the building, structure, or facility, computed in the manner Except as provided in suc. (4), each

(2) Each agency and authority shall report to the department no later than prescribed by the department.

October 1 of each odd further was year concerning the total cost of occupancy of each state-owned or authority-owned building, structure, and facility, excluding public highways and bridges, under the jurisdiction of the agency or authority for the preceding fiscal biennium. Beginning in 2009, if a building, structure, or facility is a part of an institution, the agency or authority shall also include in its report the total cost of occupancy of all of the buildings, structures, and facilities within the institution.

(3) No later than December 1 of each of the numbered year, the department shall compile the information received under sub. (2) and transmit a consolidated report to the building commission on the total cost of occupancy of all buildings, structures, and facilities included in the reports filed under sub. (2), itemized for each building, structure, and facility. The report shall include, for each building, structure, or

facility, the recommendations of the department concerning the desired total cost of occupancy for that building, structure, or facility.

SECTION 9355. Initial applicability; other.

(1) Reports concerning occupancy of state facilities. The treatment of sections 16.891 of the statutes first applies with respect to reports due for submittal in the year 2007.

(END)

(4) The department may exempt an agency or actuarity from compliance with the reporting requirement under sub. (2) with respect to any building; structure, or facility that the termines to have a main in all total cost of occupancy.

Kuesel, Jeffery

To: Subject: Kraus, Jennifer - DOA

RE: LRB Draft: 05-1512/2 Reports on cost of occupancy of state facilities

Jenny,

Authority construction projects estimated to cost more than \$100,000 are subject to approval of the building commission under s. 13.48 (10), stats. That's why I included them in the draft. However, I recognize that these projects do not generally appear in the authorized state building program. I will exclude them on the next redraft.

----Original Message----From: Kraus, Jennifer - DOA

Sent: Tuesday, January 18, 2005 2:01 PM

To: Kuesel, Jeffery

Cc: Cramer, Robert; Maternowski, Peter

Subject: FW: LRB Draft: 05-1512/2 Reports on cost of occupancy of state

facilities

Two more changes:

Please limit the reporting to those facilities the construction of which must be approved by the Building Commission. (i.e., not the authorities).

Add a statement that the format of agency reports shall be in a form prescribed by DOA.

Thanks -Jenny

----Original Message----

From: Schlueter, Ron [mailto:Ron.Schlueter@legis.state.wi.us]

Sent: Tuesday, January 18, 2005 12:45 PM

To: Kraus, Jennifer - DOA

Cc: Hanaman, Cathlene; Haugen, Caroline; Merry-Mason, Monica

Subject: LRB Draft: 05-1512/2 Reports on cost of occupancy of state

facilities

Following is the PDF version of draft 05-1512/2.



State of Misconsin 2005 - 2006 LEGISLATURE

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DOA:.....Kraus, BB0350 - Reports on cost of occupancy of state facilities

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

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AN ACT ...; relating to: reports concerning the cost of occupancy of state facilities.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

OTHER STATE GOVERNMENT

- 4/50

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building commission on the total cost of occupancy of all buildings, structures, and facilities included in the reports filed under sub. (2), itemized for each building, structure, and facility. The report shall include, for each building, structure, or facility, the recommendations of the department concerning the desired total cost of occupancy for that building, structure, or facility.

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SECTION 9355. Initial applicability; other.

(1) Reports concerning occupancy of state facilities. The treatment of section 16.891 of the statutes first applies with respect to reports due for submittal in the year 2007.

(END)

Kuesel, Jeffery

From:

Kraus, Jennifer - DOA

Sent:

Thursday, January 27, 2005 5:36 PM

To: Cc: Kuesel, Jeffery Maternowski, Peter

Subject:

FW: TCO draft

Jeff - I forgot to get you this change. Jenny

----Original Message-----

From:

Maternowski, Peter

Sent:

Thursday, January 27, 2005 5:23 PM

To:

Kraus, Jennifer - DOA

Cc:

Cramer, Robert

Subject:

TCO draft

Jenny,

I believe we had discussed moving up the date on the TCO reporting. The draft has December 1 2007 as the date of the first report. Is it possible to revise it to December 1 2006. We would like to be able to use the data in the development of the 2007-09 Capital Budget.

Peter Maternowski Division of State Facilities (608) 266-5565



State of Misconsin 2005 - 2006 LEGISLATURE

womfar kni 1/28

LRB-1512/3

JTK:cjs:ch

DOA:.....Kraus, BB0350 – Reports on cost of occupancy of state facilities

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

10 Der Gen

AN ACT ..., relating to: reports concerning the cost of occupancy of state facilities.

Analysis by the Legislative Reference Bureau STATE GOVERNMENT

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- (b) "Total cost of occupancy" means the cost to operate and maintain the physical plant of a building, structure, or facility, including administrative costs of an agency attributable to operation and maintenance of a building, structure, or facility, together with any debt service costs associated with the building, structure, or facility, computed in the manner prescribed by the department.
- (2) Except as provided in sub. (4), each agency shall report to the department no later than October 1 of each year concerning the total cost of occupancy of each state—owned building, structure, and facility, excluding public highways and bridges, under the jurisdiction of the agency for the preceding fiscal year. The report shall be made in a format prescribed by the department. Beginning in 2009, if a building, structure, or facility is a part of an institution, the agency having jurisdiction of the institution shall also include in its report the total cost of occupancy of all of the buildings, structures, and facilities within the institution.
- (3) No later than December 1 of each year, the department shall compile the information received under sub. (2) and transmit a consolidated report to the building commission on the total cost of occupancy of all buildings, structures, and facilities included in the reports filed under sub. (2), itemized for each building, structure, and facility. The report shall include, for each building, structure, or

- facility, the recommendations of the department concerning the desired total cost of ccupancy for that building, structure, or facility.
 - (4) The department may exempt an agency from compliance with the reporting requirement under sub. (2) with respect to any building, structure, or facility that the department determines to have a minimal total cost of occupancy.

SECTION 9355. Initial applicability; other.

(1) Reports concerning occupancy of state facilities. The treatment of section 16.891 of the statutes first applies with respect to reports due for submittal in the year 2007.

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(END)



State of Misconsin 2005 - 2006 LEGISLATURE

LRB-1512/4 JTK:cjs:pg

DOA:.....Kraus, BB0350 – Reports on cost of occupancy of state facilities

FOR 2005-07 BUDGET — NOT READY FOR INTRODUCTION

AN ACT ...; relating to: reports concerning the cost of occupancy of state facilities.

Analysis by the Legislative Reference Bureau STATE GOVERNMENT

OTHER STATE GOVERNMENT

This bill directs state agencies to report annually to DOA concerning the total cost of occupancy of each state—owned building, structure, or facility under the jurisdiction of the agency, excluding public highways and bridges. The report must be made in a format prescribed by DOA. The cost of occupancy must also be computed in a manner prescribed by DOA, and must include the direct cost of operation and maintenance, administrative costs incurred by an agency that are attributable to the building, structure, or facility, and any debt service costs associated with the building, structure, or facility. Beginning in 2009, the bill provides that if a building, structure or facility is a part of an institution, the report must include the total cost of occupancy of all buildings, structures, and facilities within the institution. The bill permits DOA to exempt an agency from compliance with the reporting requirement with respect to a building, structure, or facility that DOA determines to have a minimal total cost of occupancy.

The bill also provides that DOA must compile the information received from each agency and annually transmit a consolidated report on the total cost of occupancy of all buildings, structures, and facilities owned by the state, itemized for each building, structure, and facility, to the Building Commission. The report must include, for each building, structure, and facility, the recommendations of DOA concerning the desired total cost of occupancy for that building, structure, or facility.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 16.891 of the statutes is created to read:

16.891 Reports on cost of occupancy of state facilities. (1) In this section:

- (a) "Agency" has the meaning given in s. 16.70 (1e).
- (b) "Total cost of occupancy" means the cost to operate and maintain the physical plant of a building, structure, or facility, including administrative costs of an agency attributable to operation and maintenance of a building, structure, or facility, together with any debt service costs associated with the building, structure, or facility, computed in the manner prescribed by the department.
- (2) Except as provided in sub. (4), each agency shall report to the department no later than October 1 of each year concerning the total cost of occupancy of each state—owned building, structure, and facility, excluding public highways and bridges, under the jurisdiction of the agency for the preceding fiscal year. The report shall be made in a format prescribed by the department. Beginning in 2009, if a building, structure, or facility is a part of an institution, the agency having jurisdiction of the institution shall also include in its report the total cost of occupancy of all of the buildings, structures, and facilities within the institution.
- (3) No later than December 1 of each year, the department shall compile the information received under sub. (2) and transmit a consolidated report to the building commission on the total cost of occupancy of all buildings, structures, and facilities included in the reports filed under sub. (2), itemized for each building, structure, and facility. The report shall include, for each building, structure, or

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L	facility, the recommendations of the department concerning the desired total cost of
2	occupancy for that building, structure, or facility.
3	(4) The department may exempt an agency from compliance with the reporting

requirement under sub. (2) with respect to any building, structure, or facility that the department determines to have a minimal total cost of occupancy.

${\bf SECTION~9355.~Initial~applicability;~other.}$

(1) Reports concerning occupancy of state facilities. The treatment of section 16.891 of the statutes first applies with respect to reports due for submittal in the year 2006.

10 (END)